

# Notice of Allowability

Application No.

10/618,285

Examiner

Zia R. Hashmi

Applicant(s)

SCHWIETERS ET AL.

Art Unit

2881

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the the amendment filed on 9/14/2004.
2. ☒ The allowed claim(s) is/are 1 and 3-9.
3. ☒ The drawings filed on 11 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9/24/2004 .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. The following corrections in the claim were made in accordance with discussions made in a phone interview with the inventor's representative Mr. Aldo J. Test on September 28, 2004. The following changes in the application have been made:

Independent claim 10 has been canceled.

***Allowable Subject Matter***

3. An "Amendment" was received on September 14, 2004 in response to Office Action of May 6, 2004. Claims 1, 5 and 7 have been amended and claim 2 canceled, as indicated.

4. Claims 1 and 3-9 are allowed.

5. The following is an examiner's statement of reasons for allowance:

With respect to independent claim 1, prior art fails to disclose a device for collecting ions, in particular in a mass spectrometer, having at least one secondary electron multiplier (SEM), the SEM being formed in the manner of a card, specifically substantially box-like with a low thickness in relation to the length and width. The device according to the invention is characterized in that the SEM is held in a frame. The frame

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can have approximately the dimensions of the Faraday cup, which would be otherwise used. The SEM is insertable and removable from the frame. Accordingly, the frame is preferably somewhat thicker than the SEM. As a result of using the frame, the external dimensions of the SEM are matched to the dimensions of other constituent parts of the device. At the same time, the frame permits easy replacement of the SEM. In this way, the SEM can be held in the frame merely by being wedged in. In one embodiment of the invention, provision is made for the SEM to have an entry opening for the ions on a narrow side, for the frame to have a passage opening for the ions on a narrow end side, the inlet opening and the passage opening being aligned with each other, and for the SEM to be at least partially inserted into the frame on a further narrow side of the latter. According to a further embodiment of the invention, a plurality of SEM are provided with frames, the frames being held on at least one common guide means and being capable of being positioned relative to one another at defined intervals on the latter. Accordingly, the guide means permit a plurality of frames to be combined into a group, it being possible for defined positions to be assumed within the group. At least one frame of the group is preferably provided with a holder, so that the result is that a group with a plurality of SEM (in corresponding frames) is held only by one frame. The guide means provided are preferably two rods, onto which the individual frames are threaded with appropriate holding means.


Claims 3-9 are allowed by virtue of their dependencies on the independent claim 1.

### Conclusion

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments of Statement of Reasons for Allowance".
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact Electronic Business Center (EBC) at 866-217-9197 (toll-free).
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zia Hashmi whose telephone number is (571) 272-2473. The examiner can normally be reached between 8.30 AM- 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (571) 272-2477.

Zia Hashmi

September 29, 2004.

  
JOHN R. LEE  
SUPERVISORY PATENT EXAMINER  
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